

REMARKS

In the claims

Claims 1, 13, 16, 19, 33, 36, 58, 72 and 81 have been amended. Claims 15, 17, 18, 32, 34, 35, 51-57, 73-80 and 96-102 have been cancelled. Claims 103-109 are newly added.

Independent claims 1, 19, 36, 58, and 81 have been amended to more particularly point out and distinctly claim the invention, and to more particularly distinguish over the prior art relied on by the Examiner.

Newly added claims 103-106 distinctly claim further aspects of the invention, and are supported by the disclosure. Newly added claims 107-109 are broadly equivalent to amended claims 16 and 33.

Response

The Examiner has rejected claims 16-18, 33-35, 53-57, 75-80 and 98-102 as being indefinite under 35 USC § 112. Claims 34-35, 53-57, 75-80 and 98-102 have been cancelled. Claims 16 and 33 have been amended to make it clear that a channel has a plurality of uplink and downlink slots, and the number of slots within a channel being variable to account for station data requirements. The Examiner is directed to the description spanning page 13 line 18 – page 14 line 13 in support of the amended form of the claim. The objection has thus been overcome in relation to claims 16 and 33.

The Examiner has rejected claims 1-16, 11, 13-15, 19-23, 28, 30-32, 36-42, 47, 49-51, 58-64, 69, 71-73, 81-87, 92 and 94-96 under 35 USC § 103(a) over Mayrand in view of Wang.

It is respectfully submitted the Examiner's characterising of the teaching of Mayrand is not accurate, in that Mayrand teaches only two traffic states. The present invention as claimed in independent claims 1, 19, 36, 58 and 81, now amended to reinforce this point, recites that a channel is varying in a distinct one of three states: 'empty', 'reserved' and 'owner'.

Mayrand teaches, at column 6 lines 21-53, that following receipt of a communication channel seizure request, a call type determination is made. Based on that determination, a suitable communication channel is selected from an available pool of communication channels. The call types are a combination of mobile station, subscriber and call characteristics. Mayrand teaches at column 7, line 38 - column 8 line 9, with reference to Fig. 4, that three forms of characteristic, each having two possible values, are considered to specify a set of pre-defined call types.

Mayrand teaches at column 8, lines 39-60, with reference to Fig. 6, that once a call type determination is made, the communication channel selection is performed. This is effectively a two-step process. The determined call type is matched against a list of communication channel groups. If a match exists then a voice channel group is selected from the list according to a first (not-specified) selection algorithm. In the second step, it is determined whether there is any voice channel available (ie. 'empty', in loose terms) in the selected group, and if so, a specific voice channel is selected according to a second (non-specific) algorithm. It is, with respect, not correct to say that the selection step is a reserved state.

In summary then, Mayrand teaches the discrimination of a call-type then matches a call-type with voice channel groups and, from a selected group, selects a voice channel. Mayrand thus teaches the selection of an appropriate voice channel from a pool of available channels. In that sense, the voice channel is allocated/assigned. This represents a two-state arrangement: 'available' and 'assigned'.

The present invention as claimed defines that channels are varying in a distinct one of three states: empty, reserved and owner. Furthermore, the characteristics of the states are defined in the claims. An empty state provides a channel to which any station can gain access. The reserved state provides a channel having an owner and to which a station having made a reservation with the hub, but not owning the channel, can have access if not being used by the owner; the owner can resume access on demand. The owner state provides a channel to which only the owning station has access.

Mayrand does not teach or suggest these features (and their characteristic function) of the independent claims. Additionally, Wang does not teach or suggest these features. For this reason alone, it is submitted that independent claims 1, 19, 36, 58 and 81 are novel and non-obvious over Mayrand, whether or not in view of Wang. In other words, the combination of Mayrand and Wang does not teach all of the features of the independent claims.

Since all the independent claims are submitted to be novel and non-obvious, then so too must be claims that depend therefrom. Thus the Examiner's rejections of the dependent claims are rendered moot.

The Examiner has rejected claims 12, 29, 48, 70 and 93 under 35 U.S.C. 103(a) as being unpatentable over Mayrand, in view of Wang and further in view of Lindskeg. Because all of claims 12, 29, 48, 70 and 93 depend from a base claim that is submitted to be novel and non-obvious, the rejection of these dependent claims is rendered moot.

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The Examiner has rejected claims 16-18, 33-35, 52-57, 74-80 and 97-102 under 35 U.S.C. 103(a) as being unpatentable over Mayrand in view of Wang and further in view of Albrow. Claims 17, 18, 34, 35, 52-57, 74-80 and 97-102 have been cancelled. Because claims 16 and 33 depend from a base claim that is submitted to be novel and non-obvious, the rejection of these dependent claims is rendered moot.

Respectfully submitted,

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